

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

P.I.L. NO.51 OF 2002

Gopal Tiwari Petitioner
vs.
Pune Municipal Corporation & ors. Respondents

Mr.S.B.Deshmukh for the petitioner.

Ms.Kiran Bhagalia for the respondents 1 to 3.

**CORAM : R. M. LODHA &
A.S.BAGGA, JJ.**

DATED : 14th June, 2006

P.C.

Heard.

2. The principal grievance raised in this PIL concerns
the construction of toilet block in the play ground.

3. The reply affidavit has been filed on behalf of the Pune Municipal Corporation through the Development Engineer, Sewerage Operation. It is stated therein that in the year 1966-1967 toilet blocks were constructed adjacent to hall situated on the ground floor of Late V.B.Gogate High School. The hall was found insufficient for functions and events of the school and to increase the dimension of the hall, it was proposed to demolish the toilets and include the area in the hall. The Education Committee of the Pune Municipal Corporation by its resolution no.1994 dated 23rd August, 2001

sanctioned the proposal. The Chief Education Officer-Education Committee by his letter dated 7th September, 2001 asked to construct a new toilet unit and include the area under old toilets in the area of the hall. The Standing Committee by its resolution no.1032 dated 13th September, 2001 approved the construction of new toilets and inclusion of area under old toilets in the area of old hall. It is stated that the new toilet block is complete and it has consumed nominal area of about 100 sq.ft.

4. The aforesaid reply is satisfactory and justifies the construction of toilet block in the play ground. As it is the toilet block is a necessary for the users of the play ground.

5. No case for invocation of extraordinary jurisdiction by way of Public Interest Litigation is made out.

6. Public Interest Litigation is disposed of accordingly.

(R.M. LODHA,J.)

(A.S. BAGGA,J.)